

H

**Notice of Allowability**

Application No.

10/737,297

Examiner

Eric A. Gates

Applicant(s)

YEAPLE, RONALD N.

Art Unit

3722

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed 21 September 2006.
2. ☒ The allowed claim(s) is/are 1-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Monica S. Carter*  
**MONICA CARTER**  
**SUPERVISORY PATENT EXAMINER**

### DETAILED ACTION

1. This office action is in response to Applicant's after final amendment filed on 21 September 2006.

#### ***Allowable Subject Matter***

2. Claims 1-40 are allowed. Claims 1, 17, and 28 are the independent claims.
3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Patent 4,848,797 to Vercillo et al. Vercillo et al. discloses a system for binding a stack of pages along an edge thereof to form a book, the system comprising: an elongated strip 24/26 having opposed ends, opposed side edges extending between the ends, and an electrical resistivity between the ends, the strip further having an adhesive 28 with a predetermined melting temperature in contact with at least a portion of a first side thereof, the strip first side positionable in contact with a binding edge of a stack of pages 18 to be bound (see figure 2); and means for introducing an electrical current along the strip between the ends (see column 3, lines 48-55), the current sufficient to heat the strip to a temperature at least as great as the melting temperature in order to melt the adhesive and thereby bind the stack of pages together along the binding edge.

Suffice it to say, the patent to Vercillo et al. does not disclose "the strip having a plurality of spaced-apart cuts extending therethrough inwardly from and perpendicular to the side edges in alternating fashion, so as to form a substantially serpentine electrically

Art Unit: 3722

conductive path between the ends" as claimed in independent claim 1, or "a plurality of spaced-apart cuts extending therethrough inwardly from and perpendicular to the side edges in alternating fashion, so as to form a substantially serpentine electrically conductive path between the ends" as claimed in independent claim 17, or "an electrically resistive strip having a plurality of spaced-apart cuts extending therethrough inwardly from and perpendicular to opposed side edges thereof in alternating fashion, so as to form a substantially serpentine electrically conductive path between opposed ends thereof" as claimed in independent claim 28, and as such does not anticipate the instant invention as disclosed in independent claims 1, 17, and 28.

Furthermore, there is no combinable teaching in the prior art of record that would reasonably motivate one having ordinary skill in the art to so modify the teachings of Vercillo et al. without using hindsight reasoning, and thus, for at least the foregoing reasoning, the prior art of record does not render obvious the present invention as set forth in independent claims 1, 17, and 28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3722

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Gates whose telephone number is 571-272-5498. The examiner can normally be reached on Monday-Thursday 7:45-6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



EAG  
23 April 2007

*Monica S. Carter*  
MONICA CARTER  
SUPERVISORY PATENT EXAMINER